

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

2006 JAN 25 A 11:27

EILEEN M. ZIEMBA
Plaintiff

Docket No. 05-40103 FDS

v.

MARILYN R. DIGREGORIO DBA
THE LIDO RESTAURANT
Defendant

MOTION TO ENLARGE TIME FOR SERVICE OF AMENDED COMPLAINT

The plaintiff hereby respectfully requests Court enlarge the time to serve the First Amended Complaint in the above-captioned matter by two weeks to February 8, 2006.

As grounds therefore, Plaintiff states this is an action for serious personal injury resulting in permanent disability for which Defendant, upon information and belief, is fully insured. Plaintiff has discovered that the defendant is not a corporation but an individual. Through diligent inquiry Plaintiff has finally discovered the physical address of defendant. Plaintiff has earlier attempted service at the physical address of the The Lido Restaurant, but the process server discovered the restaurant was for sale and apparently closed or open only at irregular intervals. No times that the restaurant was open were displayed. Plaintiff is still attempting to obtain service within the time ordered by the Court but may need a few additional days.

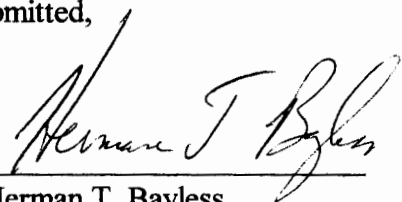
As further grounds, Plaintiff states that Plaintiff has acted diligently despite severe limitations on Plaintiff's counsel time because his eleven year old daughter has required extensive

psychiatric care during the past several months due to hallucinations brought on by post-traumatic stress disorder resulting from the death of Plaintiff's counsel's wife.

WHEREFORE, Plaintiff respectfully requests that the time for service of the First Amended Complaint be extended by fourteen days.

Respectfully Submitted,
The Plaintiff,
Eileen Ziemba.

By:


Herman T. Bayless
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Date: January 25, 2006